

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, NOVEMBER 5, 2015

1. HEARINGS TO BE HELD AT THE LIQUOR COMMISSION, 50 STORRS STREET, CONCORD, NH:

November 6, 2015 @ 9:30 A.M.

- a. Carlo Rose Cigar Bar & Lounge, 10 Bridge Street #5, Pelham, NH.
Cigar Bar On-Premise Beverage/Wine/Liquor/Cigar License #402306 licensed pursuant to RSA 178:20-a.
Cited for violation of RSA 179:53 – altered premises without Commission approval.
Cited for violation of RSA 179:32, II – purchased alcohol from other than a holder of a wholesaler distributor license.
Cited for violation of RSA 178:20-a/Liq. 704.01 – failed to renew Cigar Bar license 30 days prior to expiration.
Cited for violation of RSA 178:20-a, II(a) – failed to provide records to demonstrate cigar and alcohol sales.
Cited for violation of RSA 178:29, VIII – license was transferred to another location without consent of the Commission.
Dates of violations: August 31, 2015 & September 16, 2015.
Case #: 15-341-OF.

Singin' Bowl, 10 Bridge Street #4, Pelham, NH.
Cigar Bar On-Premise Beverage/Wine/Liquor/Cigar License #401606 licensed pursuant to RSA 178:20-a.
Cited for violation of RSA 179:53 – altered premises without Commission approval.
Cited for violation of RSA 178:20-a, II – failed to generate 60% of its quarterly gross revenue from the sale of cigar-related products which are limited to cigars, humidors, cigar cutters, cigar cutters and cases, lighters and ashtrays.
Cited for violation of RSA 179:32, II – purchased alcohol from other than a holder of a wholesaler distributor license.
Cited for violation of RSA 178:29, VIII – license was transferred to another location without consent of the Commission.
Date of violations: September 16, 2015.
Case #: 15-342-OF.

November 6, 2015 @ 10:30 a.m.:

- b. Jewel Nightclub, 61 Canal Street, Manchester, NH.
Sports Entertainment License #6018305 licensed pursuant to RSA 178:22, V(u)(1).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was intoxicated or who a reasonable and prudent person would know is intoxicated.
Cited for violation of RSA 179:27, II - served or consumed alcoholic beverage in areas not approved by the Commission.
Date of violations: February 22, 2015.
Case #s: 15-61-OF & 15-63-OF.

November 19, 2015 @ 8:30 a.m.:

- c. Whiskey Barrel BBQ & Roadhouse, 200 Portland Street, Lancaster, NH.
Restaurant Full Service With Lounge License #1488803 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated – 2 counts.
Cited for violation of RSA 179:51 – failed to maintain an orderly premise – 3 counts
Cited for violation of RSA 179:23, IV – failed to have an affidavit on file with the Commission for the person in charge of the premises.
Dates of violations: March 29, 2015 & May 10, 2015.
Case #: 15-114-OF & 15-184-OF.

November 19, 2015 @ 10:30 a.m.:

- d. UPS, 55 Glen Lake Parkway, Atlanta, GA.
Carrier-Beverage/Wine/Liquor License #748116 licensed pursuant to RSA 178:14.
Cited for violation of RSA 179:5, I/Liq. 1104.06 – shipped and delivered alcohol for a company on the unauthorized shippers list – 2 counts.
Cited for violation of RSA 179:5, I – failed to obtain an adult signature when delivering an alcohol product.
Dates of violations: April 29, 2015, June 29, 2015 & July 21, 2015.
Case #: 15-173-OF, 15-259-OF & 14-288-OF.

November 19, 2015 @ 1:00 p.m.:

- e. Tower Hill Tavern, 264 Lakeside Avenue, Laconia, NH.
Restaurant Full Service With Lounge License #1369903 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was intoxicated or who a reasonable and prudent person would know is intoxicated – 2 counts.
Cited for violation of RSA 179:27, II - served or consumed alcoholic beverage in areas not approved by the Commission.
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.
Date of violations: June 28, 2015.
Case #: 15-266-OF.

December 4, 2015 @ 9:30 a.m.:

- f. American Legion Post 31, 11 Charles Street, Penacook, NH.
Veterans Club License #18039 licensed pursuant to RSA 178:22, V(h).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was intoxicated or who a reasonable and prudent person would know is intoxicated.
Date of violation: May 9, 2015.
Case #: 15-181-OF.

December 11, 2015 @ 9:30 a.m.:

- g. Crazy Camel, 245 Maple Street, Unit #1, Manchester, NH.
Cigar Bar On-Premise Beverage/Wine/Liquor/Cigar License #402006 licensed pursuant to RSA 178:20-a.
Cited for violation of RSA 178:20-a, II – failed to generate 60% of its quarterly gross revenue from the sale of cigar-related products which are limited to cigars, humidors, cigar cutters, cigar cutters and cases, lighters and ashtrays.
Date of violation: February 24, 2015. Case #: 15-65-OF.

2. NOTIFICATION OF DISCIPLINARY ACTION:

None

3. NOTIFICATION OF NON-CONTESTED TITLE XIII VIOLATION FINES PAID IN FULL:

None.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Christ the King Parish, 72 South Main Street, Concord, NH 03301.
To be issued off sale special licenses for a Voluntary Nonprofit Organizations Beverage/Wine/Liquor
Licensed pursuant to RSA 178:17, II.
Event Date: 11/21/2015.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- b. East Coast Service Industry Companies Inc, DBA Whiskeys 20, 20 Old Granite Street, Manchester, NH 03101.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1516403.
Licensed pursuant to RSA 178:21.
30 Day Temporary License issued: 10/26/2015.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- c. GC Fridays Boston LLC, 221 Loudon Road, Concord, NH 03301.
To be issued Restaurant On-Premise Cocktail Lounge License #1516903.
Licensed pursuant to RSA 178:22.
30 Day Temporary License issued: 10/27/2015.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- d. GC Fridays Boston LLC, 1516 South Willow Street, Manchester, NH 03103.
To be issued Restaurant On-Premise Cocktail Lounge License #1517003.
Licensed pursuant to RSA 178:22.
30 Day Temporary License issued: 10/27/2015.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

- e. GC Fridays Boston LLC, 2060 Woodbury Avenue, Newington, NH 03801.
To be issued Restaurant On-Premise Cocktail Lounge License #1517103.
Licensed pursuant to RSA 178:22.
30 Day Temporary License issued: 10/27/2015.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- f. NHNC (New Hampshire Nepali Community)
St George Hellenic Center, 650 Hanover Street, Manchester, NH 03104.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 12/26/2015.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- g. Olde Village Haunt LLC, 1097 Route 12A, Plainfield, NH 03781.
To be issued Restaurant On-Premise Beverage and Wine License #1513503,
Licensed pursuant to RSA 178:20.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- h. Rodriguez, Junior, DBA Rodriguez Market & Restaurant, 519 Amory Street, Manchester, NH 03102.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3336247.
Licensed pursuant to RSA 178:18 & RSA 178:19-a.
30 Day Temporary License issued: 10/23/2015.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- i. Tuckerman Brewing Co LLC, 66 Hobbs Street, Conway, NH 03818.
To be issued a Beer Festival License, pursuant to RSA 178:30.
Event Date: 11/22/2015.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

5. **LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:**

None

6. **SOLICITORS/REPRESENTATIVE & DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:**

**TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING OCTOBER 30, 2015:
1,155**

- a. Promontory LLC
1595 Oakville Grade Road, Oakville, CA 94562
To be issued Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

7. SOLICITORS/REPRESENTATIVE & DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

8. NOTIFICATION OF APPROVED PETITIONS:

- a. Earth Eagle Brewings LLC, 175 High Street, #6 & #7, Portsmouth, NH 03801.
Brew Pub On-Premise Cocktail Lounge License #2002315, licensed pursuant to RSA 178:13.
Date petition received: 10/19/2015.
Requested approval for authorization of other areas, to wit, an outside tented area with a capacity of 100, for event date of November 01 2015, pursuant to RSA 178:24 and Liq. 404.05.

COMMISSION ACKNOWLEDGED.

- b. North Country Hard Cider LLC, 3 Front Street, #160, Lower Mill, Rollinsford, NH 03869.
Beverage Manufacturer License #290318, licensed pursuant to RSA 178:12.
Date petition received: 10/23/2015.
Requested approval for authorization of other areas, to wit, Town of Rollinsford Farmers' Market at Wentworth Greenhouses, 141 Rollins Road, Rollinsford, NH on November 21, 2015, December 05, 2015, December 19, 2015, January 09, 2016 and February 13, 2015, March 16, 2016 and April 09, 2016 from 10:00 am to 2:00 pm pursuant to RSA 178:24 and Liq. 404.05.

COMMISSION ACKNOWLEDGED.

- c. Tuscan Kitchen LLC, 67 Main Street, Salem, NH 03079.
Restaurant On-Premise Beverage/Wine/Liquor License #1410403, licensed pursuant to RSA 178:21.
Date petition received: 10/21/2015.
Requested approval for authorization of other areas, to wit, an outside piazza area with a capacity of 300, for event date of October 28 2015, pursuant to RSA 178:24 and Liq. 404.05.

COMMISSION ACKNOWLEDGED.

9. NOTIFICATION OF APPROVED FELON EXCEPTIONS:

None

10. NOTIFICATION OF DENIED FELON EXCEPTIONS:

None

11. NOTIFICATION OF COMPLIANCE CHECKS SCHEDULED WITHIN NINETY (90) DAYS:

None

12. NOTIFICATION OF COMPLIANCE CHECKS:

None

13. COMMISSION DECISIONS PENDING AFTER HEARING:

- a. Jade Palace, 28 Portsmouth Avenue, Stratham, NH.
Restaurant Full Service With Lounge License #1451603 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is

intoxicated – 2 counts.

Dates of violations: October 13, 2014 & December 28, 2014.

Case #: 14-400-OF & 15-7-OF.

HEARING WAS HELD SEPTEMBER 17, 2015.

OCTOBER 1, 2015, THE COMMISSION ISSUED ITS DECISION AND ORDER ON OBJECTIONS RAISED AT THE PRE-HEARING CONFERENCE AND HEARING; LICENSEE'S OBJECTION TO SGT. EMERSON'S AND SGT. CALL'S TESTIMONY IS DENIED; OBJECTION TO INVESTIGATOR MONE'S TESTIMONY IS DENIED; AND OBJECTION TO EXCLUDE POLICE AND INCIDENT REPORTS AS WELL AS A LICENSEE'S VIOLATION HISTORY AS EXHIBITS IS GRANTED.

THE DOE FILED AN OBJECTION TO THE DECISION AND ORDER ON OBJECTIONS RAISED AT THE PRE-HEARING CONFERENCE AND HEARING.

14. NOTIFICATION OF HEARING RESULTS:

None

15. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:

- a. Whiskey 20, 505 Walnut Street, Manchester, NH.
Requested approval for a Felon Exception for Thomas A. Svoleantopoulos as a Licensee pursuant to RSA 178:4, RSA 179:23 and Liq 404.06(c).
Case #: 15-314-OF.

APPLICATION/APPROVAL PENDING.

TABLED OCTOBER 29, 2015.

DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

- b. Anheuser-Busch LLC, One Busch Place, St Louis, MO 63118.
Beverage Vendor License #54131, licensed pursuant to RSA 178:15.
Date petition received: 10/21/2015.
Requests approval of Goose Island Bourbon County Brand Regal Rye Stout with an alcohol content of 13.2% at 60 degrees Fahrenheit by volume, license pursuant to RSA 178:1, LXIV-a and 179:40-a.
Recommendation: Approval.

DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

16. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. Bow Rotary, Bow Community Building, Bow Center Road, Bow, NH 03304.
To be issued one-day licenses for a Voluntary Nonprofit Organizations
Beverage/Wine/Liquor
License pursuant to RSA 178:22, V(l).
Event Date: 11/07/2015.
Recommendation: Expedited Approval.
Commission Approved: 10/29/2015.

COMMISSION ACKNOWLEDGED.

- b. BREW NH, Redhook Brewery, 1 Redhook Way, Portsmouth, NH 03801.
To be issued one-day licenses for a Voluntary Nonprofit Organizations
Beverage/Wine/Liquor
License pursuant to RSA 178:22, V(l).
Event Date: 11/08/2015.
Recommendation: Expedited Approval.
Commission Approved: 10/29/2015.

COMMISSION ACKNOWLEDGED.

- c. Children's Museum of New Hampshire (The), 6 Washington Street, Dover, NH 03820.
To be issued one-day licenses for a Voluntary Nonprofit Organizations
Beverage/Wine/Liquor
License pursuant to RSA 178:22, V(I).
Event Date: 11/07/2015.
Recommendation: Expedited Approval.
Commission Approved: 10/29/2015.
COMMISSION ACKNOWLEDGED.
- d. Lakes Region Community Services Council, Church Landing Mill Falls By The Lake,
281 DW Highway, Meredith, NH 03253.
To be issued one-day licenses for a Voluntary Nonprofit Organizations
Beverage/Wine/Liquor
License pursuant to RSA 178:22, V(I).
Event Date: 11/05/2015.
Recommendation: Expedited Approval.
Commission Approved: 10/29/2015.
COMMISSION ACKNOWLEDGED.
- e. Seacoast Eat Local Inc, Applecrest Farm Bistro,
133 Exeter Road, Hampton Falls, NH 03844.
To be issued one-day licenses for a Voluntary Nonprofit Organizations
Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event Date: 10/27/2015.
Recommendation: Expedited Approval.
Commission Approved: 10/27/2015.
COMMISSION ACKNOWLEDGED.
- f. For the record Deputy Commissioner Milligan stated regarding item 15-a , request of
approval for a felon exception as a licensee, Deputy Commissioner requested
Commission Legal Counsel to review this item due to the nature of the felony, and also
because he was approached by the business partner of the individual requesting the
approval. Deputy Commissioner stated that the business partner wanted to mention to
him about this topic and Deputy Commissioner declined stating that he couldn't do that
because it was coming to the Commission for approval.

For the record, Deputy Commissioner did not discuss this with the business partner and he advised the Enforcement Director and Commission Legal Counsel of the conversation. The Commissioner also did not believe the Licensee's conversation was an attempt at an ex-parte conversation, just a meeting in passing as they are neighbors. The Commission Counsel advised that this request is in the parameters of the statute. For this reason the Commission felt it appropriate to move forward.

